

### **REMARKS**

The Examiner provided guidelines for the preferred layout of the specification to the Applicants in the Office Action mailed May 5, 2004, and in response thereto, Applicants are tendering herewith a substitute specification that shows the addition of section headings, only, no other changes being made, and therefore no new matter has been entered.

Claim 13 was rejected under 35 U.S.C. §112, second paragraph, for the specific reason set forth in numbered paragraph 5 of the Office Action mailed May 5, 2004; and the Examiner will please note that newly proposed claim 26, which is based upon original claim 13, has been drafted to correct the deficiency previously noted in claim 13 that gave rise to its rejection under 35 U.S.C. §112, second paragraph.

Turning now to the prior art rejections, claims 1-13 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Pirovano in view of Yamagishi. For the reasons that follow, Applicant traverses the grounds of rejections imposed on claims 1-13 over these references as they may be applied to new claims 14-26.

The principle objects of the invention are a method, a system and a language interpreter for transmitting and handling complex messages to Pay-TV subscribers.

These messages are the same for all subscribers, but the result of their execution will be different on each subscriber database in function of the contents of said database.

In the prior art, it was necessary to send a different message to each subscriber based on data taken out from a central database. The drawbacks of such process are mainly the overloading of the managing system and the jamming of the transmission channels.

It is agreed that sending messages to databases is known, in particular performing a test when the message reaches the data base to check whether this message is intended for it. This is the teaching of Pirovano where the message contains an identifier, which is compared with the identifier of the database. If both match, the message is accepted and the data contained in the message is transferred in the database.

The drawback of the method described in Pirovano is in the limitation of the addressing of the databases. In fact, each database comprises a unique identifier used for the addressing, thus when a large number of such databases have to be updated, they have to be addressed sequentially, which needs an important information stream.

The aim of the present invention is to propose a method allowing messages transmission destined to a non-defined-in-advance set of subscribers.

The solution consists of a managing center that communicates with distributed databases. Updating messages between the managing center and a database performs the update of the database in a conditional way. This allows the execution of complex operations on the data of each subscriber base in order to determine if a program is effectively destined to the subscriber of this database.

The Pirovano document does not disclose the conditional updating of databases from a managing center.

The Yamagishi document describes a server creating at least update report data, which is data not containing update data and in which information indicating that data has been updated is arranged. The server transmits the update report data over a unidirectional broadcasting network. When receiving the update report data, a reception terminal transmits a request for the update data, concerning which the fact that data has been updated is reported by the update report data,

over a communication network enabling bi-directional communication. The server retrieves the update data corresponding to the request from a database, and transmits it to the reception terminal over the communication network.

The Yamagishi document also does not disclose the message transmission without receivers' addresses as well as the conditional updating of the databases as in the present invention. Moreover, the Yamagishi system needs a bi-directional communication between server and receivers, while the system of the present invention works essentially with a unidirectional channel.

The example below illustrates the process and the type of messages that can be used in an application of the present invention.

The subscriber database is generally located in the security module (or smart card) inserted in each subscriber's decoder. Another aspect of the situation is that the decoders have mainly no back channel, i.e., there is no possibility to send responses back to the managing center. This aspect is mentioned in claim 15 by the unidirectional connection between the center and the databases.

A message according to the invention can comprise instructions for requesting user particulars and conditions to execute a specific update on this database depending on certain criteria.

In the example concerning the 120,000 football fans mentioned in the specification, the message could contain instructions such as:

- Search the last paid and viewed football match in subscriber database
- If the date of this event is between June 1, 2004, and June 30, 2004, offer a free right to view a new sport channel in July 2004.

- If no football match was viewed at all or out of the above-defined period, no special gift is offered.

This message sent to all subscribers' databases would have a result depending on the history of the users habits recorded in their databases. Some of the user's databases will then be updated to introduce the special free right and the remaining ones will not change.

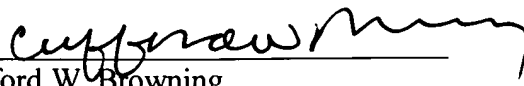
It also has to be noted that no specific database addressing is necessary for performing the update of the subscribers' bases because said update depends on each database contents (conditional update).

According to the prior art documents cited by the Examiner, it is not possible for a person skilled in the art to deduce the solution disclosed by the present invention because in both the Pirovano and Yamagishi documents the messages sent to the subscribers databases need to be addressed for each destination database. The problem of the large quantity of messages to be transmitted by the managing center with the risk of system overloading could not be solved through the combination of these documents.

Therefore the independent claims (14, 19, 24) and subsequently the dependent claims comply the inventiveness criteria.

For all these foregoing reasons, Applicants respectfully request entry of the foregoing claim amendments, reconsideration of the application in light thereof, and in light of the foregoing remarks, and then allowance of new claims 14-26 over all the prior art of record.

Respectfully submitted,

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